

CONFIDENTIAL
Christian Ekstrand – May 6, 2021

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
MASTER DOCKET 18-MD-2865 (LAK)
CASE NO. 18-CV-09797

IN RE:
CUSTOMS AND TAX ADMINISTRATION OF
THE KINGDOM OF DENMARK
(SKATTEFORVALTNINGEN) TAX REFUND
SCHEME LITIGATION

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REMOTE VTC VIDEOTAPED DEPOSITION UNDER ORAL
EXAMINATION OF
CHRISTIAN EKSTRAND – VOLUME I
DATE: May 6, 2021

REPORTED BY: CHARLENE FRIEDMAN, CCR, RPR, CRR

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1 VIDEO OPERATOR: We are now on
2 record. This is the remote video recorded
3 deposition of Christian Ekstrand.

4 Today is Thursday, May 6, 2020.
5 The time is now 6:02 a.m. New York time.

6 We are here in the matter of In Re
7 Custom and Tax Administration of the Kingdom
8 of Denmark, et al. All counsel have been
9 noted on record.

10 My name is Jose Rivera, remote
11 video technician on behalf of Gregory Edwards
12 LLC.

13 At this time, will the reporter,
14 Charlene Friedman, on behalf of Gregory
15 Edwards LLC, please swear in the interpreter.

16

17 I N G D R G R E G E R S E N,

18 Called as the official interpreter in
19 this action, was duly sworn to faithfully translate
20 the questions to the witness from English to
21 Danish, and the answers from Danish to English.

22

23 C H R I S T I A N E K S T R A N D,

24 called as a witness, having been first duly sworn
25 according to law, testifies as follows:

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1 Q So let's focus on the period 2012
2 to 2015.

3 A So within the period of 2012 to
4 2015, their verification was included in
5 the -- this was -- sorry. This -- within
6 this period, this was included in the
7 processing of the application.

8 A very important document in this
9 context is from the custodian. The custodian
10 is independent of the client and therefore,
11 an independent third party.

12 Therefore, you would expect to get
13 valid information from such a party, and it
14 is quite standard within Danish tax law that
15 we gather information from
16 third -- independent third parties. And here
17 we have information from a third party.

18 And so, everything together, the
19 application, the form, the tax certificate,
20 that information from the third party would,
21 at the time, be used to document your claim.

22 Q So SKAT relies on account
23 statements from independent third parties to
24 verify taxpayers' ownership of shares in
25 Danish companies, correct?

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1 MR. WEINSTEIN: Objection to form.

2 A So tax -- you said that a

3 Danish -- that SKAT relied on information
4 from third parties.

5 And what came next?

6 MR. WEINSTEIN: Objection. Can I
7 ask you to say it again, Alan? Because your
8 question was kind of specific.

9 Can you do it again?

10 MR. SCHOENFELD: Sure.

11 Q So SKAT relies on account
12 statements from independent third parties to
13 verify taxpayers' ownership of shares in
14 Danish companies, correct?

15 MR. WEINSTEIN: Object to the form.

16 A So this documentation has been
17 accepted to show that you own the shares
18 pertaining to the request for refund.

19 MR. WEINSTEIN: Alan, can I
20 just -- whenever it's convenient, we have
21 some dinner, and it's been -- we haven't had
22 a -- you know, a lunch-type break.

23 MR. SCHOENFELD: Sure. How long do
24 you want to take?

25 MR. WEINSTEIN: Take a 30-minute